
2000s

The Gavel

10-2002

2002 Vol. 51 No. 2

Cleveland-Marshall College of Law

Follow this and additional works at: https://engagedscholarship.csuohio.edu/lawpublications_gavel2000s

How does access to this work benefit you? Let us know!

Recommended Citation

Cleveland-Marshall College of Law, "2002 Vol. 51 No. 2" (2002). 2000s. 11.
https://engagedscholarship.csuohio.edu/lawpublications_gavel2000s/11

This Book is brought to you for free and open access by the The Gavel at EngagedScholarship@CSU. It has been accepted for inclusion in 2000s by an authorized administrator of EngagedScholarship@CSU. For more information, please contact library.es@csuohio.edu.



Consumerism v. Cancer
Breast cancer awareness is spreading. It's in your lipstick, compact, candle and purse. Anything a woman could possibly want carries a pink ribbon and a "portion of its proceeds" to various breast cancer foundations...when it comes to women's health, why is giving linked to buying?

OPINION, PAGE 6

C-M's facelift appointment
Proposed plans include a revamped atrium. But there are no funds to make the vision a reality.

LAW, PAGE 3



COURTESY OF C-M

Grades are NOT everything
Sitting at the low end of the C-curve at C-M, Lisa Gold-Scott '94, sits on top in her career.

CAREER, PAGE 4



THE GAVEL

VOLUME 51, ISSUE 2 OCTOBER 2002

THE STUDENT NEWSPAPER AT CLEVELAND-MARSHALL COLLEGE OF LAW

Hoops legend fast breaks for fundraiser

By Jesse Canonico
CONTRIBUTING WRITER

Profanity, sexual innuendo, pointed criticism and unabashed political incorrectness were followed by raucous laughter when Bobby Knight entertained. Yes, all of the above might be found on a given night in any local comedy club, but if it was outright raunchiness sprinkled in with decades of basketball knowledge and anecdotes you were seeking on Oct. 2, Cleveland State University's Convocation Center was the place to be. Texas Tech University basketball coach Knight entertained a crowd of more than 600 following a sit-down dinner on the arena floor, the proceeds of which will benefit the CSU men's basketball program. Knight, the controversial coaching legend who rose to prominence in leading Indiana to Division I national championships in 1976, '81 and '87, appeared at the benefit as a favor to longtime friend and CSU Basketball Coach Rollie Massimino. Turn to page 11 for more.



Lessig addresses reporters from the Supreme Court steps following oral arguments in Eldred v. Ashcroft.
Gavel to gavel Court coverage

The Gavel had two reporters present before, during and after the Supreme Court heard *Eldred v. Ashcroft*. The Court's Clerk, retired U.S.

Maj. Gen. William Suter invited the pair as his guests. Crook and Pekarek drafted portions of the C-M *amicus* brief.

Sonny or share?

C-M brief plays role in landmark copyright case.

By Ed Pekarek and Jay Crook

The fates of "Steamboat Willie" and scores of classic works from the 1920s, 30s and 40s, as well as the future of U.S. copyright law, are now in the hands of the U.S. Supreme Court. At issue is the constitutionality of the *Sonny Bono Copyright Term Extension Act* in the case of *Eldred v. Ashcroft*. The Oct. 9 hearing was an ideological showdown between Hollywood and high-tech. The Act granted 20 year extensions to copyrights for both future works of art as well as existing works. The latter are considered retrospective extensions. Prior to the Act, a copyright for an individual author was "lifetime plus 50 years" [now 70], and works for hire were 75 [now 95]. Eight Cleveland-Marshall students co-authored an *amicus* brief last April with Prof. Michael "Mickey" Davis that argued in favor of striking the retrospective copyright extensions altogether. Counsel for

petitioner Lawrence Lessig's oral argument had strong similarities. The potential economic impact of the eventual decision was not lost on those in attendance, including Federal Reserve Board Chairman Alan Greenspan and former Independent Counsel Kenneth Starr. Members of the public, including children's literature publisher, 4L Lisa Tekancic, waited in a line that stretched well over a quarter mile. Supreme Court Clerk, retired Maj. Gen. William Suter said, "[t]his one is big, people started lining up for tickets before 6 a.m." The Supreme accommodations afforded to the Gavel were courtesy of Suter. Pekarek was introduced to the General at C-M the month prior to the hearing by Fred Lick '62, as fellow members of Delta Theta Phi. Suter is a long-standing member and presently the fraternity's Chief Justice. Lessig's argument began calmly with cautious courtesy, using a soft-spoken and patient Turn to page 2 for more.

You Should Know

By AMANDA PAAR



Campus Safety Tips

Body language is the key: Criminals choose their victims according to how vulnerable he appears. Keep your head up and make eye contact. Eye contact should be brief but be sure not to look down when the eye contact is broken; look left or right instead. **Be prepared:** The criminal is prepared for you. Avoid privacy by walking with people. Utilize the campus police escort service. Safety is the campus police officers' job, let them do it. **If encountered by a criminal:** Do anything in your power to prevent a criminal from getting you in their car. This is critical because the most violent crimes occur when the victim has been transported to a secondary crime scene. Attract attention to yourself. Run away to a place where there are other people and leave the items the criminal may want behind, such as your keys or purse.

Crime tips from: "Tough Target," by Detective J.J. Bittenbinder.

Safety concerns renewed

Attempted abduction forces Univeristy to reexamine safety

By James Lucas
STAFF WRITER

An alleged kidnapping on the campus of CSU renewed concern over the level of safety on campus. Though the alleged perpetrator was apprehended, the C-M community has been forced to reevaluate this issue of concern. According to CSU Chief of Police Lester Mitchell, most crimes on CSU campus are "opportunity crimes," where the criminal is given the opportunity to commit the crime. "I believe this is still a safe area," said Mitchell. CSU campus statistics indicate motor vehicle theft as the most common crime, with 22

occurrences in 2001. While acts of violence are rare. Mitchell said the best weapon against crime on campus is common sense. "We encourage students to call for an escort to get to their vehicle. I believe this service is not taken advantage of enough." Making sure your car is locked and not leaving your belongings unattended are also vital. While there seems to be no magic formula for maintaining a safe environment, new policies have been discussed. For example, a key card system in which students would be required to use a key card to gain access to CSU buildings has been considered.

"The police department and physical plant have proposed a key card system," said Mitchell. According to Mitchell, however, his department can only propose, and not implement, such a safety system. "It's a budget issue." Such a system could, for example, make portions of the law building safer by requiring the use of a card to enter the building, but would be very expensive. "This campus contains four million square feet of space upon which there are 10 thousand doors, 19 surface parking lots and 37 buildings," said Mitchell. "It's a city within a city; a campus where 16,500 people are estimated to be at one time." Lucas is a 2L.

C-M introduces résumé reinforcements

By Steven Steinglass

Four years ago our faculty, administrators, staff, alumni and friends began planning for the law school we wished to become. The document that emerged from months of meetings is the C-M College of Law Strategic Plan.



The Dean's Column

The plan called for a concerted effort of all our constituents to make C-M stronger academically and to increase our influence nationally.

Among the strategies for accomplishing both these objectives was the development of Academic Concentrations in several areas of law in which our faculty has experience. As a result, students can now focus their studies in one of five areas: Criminal Law, Employment and Labor Law, Business Law, Tax Law, Civil Litigation and Dispute Resolution.

You will find a more comprehensive explanation of the requirements for each Concentration as well as a Concentrations Checklist in the Student Handbook and on our new web site at: www.law.csuohio.edu.

The credit requirements vary with each concentration, though each has basic or "foundational" requirements, and each offers electives. All concentrations obligate a student to complete a project at the conclusion of his studies. The project, may be a specific class or seminar with a writing assignment, a clinical experience, an approved independent externship or other relevant project. That you have undertaken and completed the requirements will be reflected on your transcript, and you will be awarded a concentration certificate. The value to you is that you will graduate with a more sophisticated understanding of your practice area and a greater promise of being a competitive candidate in some of the profession's most challenging and marketable areas.

All Concentrations have advisors: Prof. Christopher Sagers, Business Law; Profs Deborah Geier and Louis Geneva, Tax Law; Profs Patricia J. Falk and Phyllis L. Crocker, Criminal Law; Prof. Candice Hoke, Employment and Labor Law, and; Prof. Susan Becker, Civil Litigation and Dispute Resolution.

If you are in your final year of law school, you may already have fulfilled the requirements. Check with our Records Officer Roslyn Perry.

Brief plays role in Hollywood v. high-tech IP showdown

continued from page 1 -- rhetorical rhythm. Lessig appeared confident despite the fact that this was only his second appearance as a litigator in any court.

Lessig is a Stanford University law professor, and the author of cyberlaw books, "Code" and "The Future of Ideas." And, according to the Court's Chief Deputy Clerk, Christopher Vasil '75, Lessig once clerked for Justice Scalia.

Lessig encountered frequent interruptions from the Justices as he attempted to establish the foothold of his argument. The first salvo was fired by Justice O'Connor as she examined Lessig's theory that the Act violates the "limited times" provision in the Constitution's Copyright Clause.

O'Connor said, "I can find a lot of fault with what Congress did...This flies directly in the face of what the framers of the Constitution had in mind, but is it unconstitutional?"

Chief Justice Rehnquist then delivered a stream of strenuous questioning of the suit's validity, noting that Congress has reached decisions on copyright extensions since its inception. "The Copyright Act and its amendments have never been challenged before, isn't that correct?"

Lessig quickly noted that what was not anticipated by the framers is effect the Internet has on copyrights with works proliferating from a wider pool of authors combined with an insatiable demand for access to information from Web surfers.

"If this is permitted, then there is no limit," Lessig said, referring to the Act, which is the 11th copyright extension granted by Congress.

Lessig later explained from the Court's steps that, "copyright was never challenged before because it was always the publishers who benefited."

The rigor of the inquiry escalated quickly, with six of the Justices actively dissecting petitioner's theories, including Justice Breyer who suggested to Lessig at one point to "get another theory."

Justice Ginsberg provided Lessig with a platform when she interjected during one of Lessig's responses on the constitutionality of unlimited extensions, suggesting to the professor that it might be the rule against perpetuities he was seeking, drawing



chuckles from the crowded gallery.

Lessig also received reprieve from O'Connor who steered the discourse toward the economic value of retrospective extensions. Lessig launched a potent argument that only 2 percent of all retrospective copyright extensions have any economic value.

Six justices questioned Lessig before he reserved the remaining few minutes for a closing rebuttal.

Counsel for the respondent, U.S. Solicitor General Theodore Olson, faced similar scrutiny but insisted that "[Congress] is where the framers invested the responsibility." Justices Souter, Breyer and Scalia offered sharp criticism of the government's position.

Breyer began the attack by citing an economic benefit article strikingly similar to the data found in the C-M brief. Rehnquist also asked how, if ret-

"Retrospective extension is at the core of this case and certain briefs helped us explain that... Professor Davis' certainly made it the easiest."

Breyer said, "in the Victorian Age one could rent a box seat in the theater for 900 years," resulting in a spirited response from most in attendance.

The most junior Justice also challenged the government's economics and distribution argument, asking whether it would be constitutional to offer copyright protection to ancient works such as the Bible and Shakespeare, assuming that Congress was to hypothesize that increased distribution of such public domain works were to promote the "science and the useful arts."

Olson repeatedly foisted the major themes of his argument: Congress' historical pedigree of the litany of extensions never previously challenged; that the test for constitutionality should be rational basis; that the Copyright Clause was a grant of power without any enumerated limit; and that equity requires extensions for existing as well as future works.

The Justices countered with an example of an author whose copyright expired the day before the Act's enactment and its subsequent grant of extension, and wondered aloud how that too was not

lying policy for granting copyrights.

Lessig's rebuttal to Olson's historical pedigree theories relied heavily on case law, most notably *Feist*, the famous Yellow Pages case in which Justice O'Connor authored the opinion limiting Congress by holding that work such as mere alphabetizing is only "sweat of the brow" and does not constitute originality warranting copyright.

In summation, Lessig reiterated the need for a bright line test and the simple option of holding only retrospective copyright extensions unconstitutional, which was the thrust of the C-M brief.

"Retrospective extension is at the core of this case and certain briefs helped us explain that... Professor Davis' certainly made it the easiest," said Lessig.

The petitioner, Internet publisher Eric Eldred, said afterwards that he "was impressed with how well-informed the Justices were and expects a decision that will help to govern copyright into the internet age." Lessig offered a tempered view, stating that he "hope[d] for a holding that will make sure that Congress lives within its limits," but also said, "if I thought that this was a case where it's hard to know what the right answer was, I'd feel less pressure."

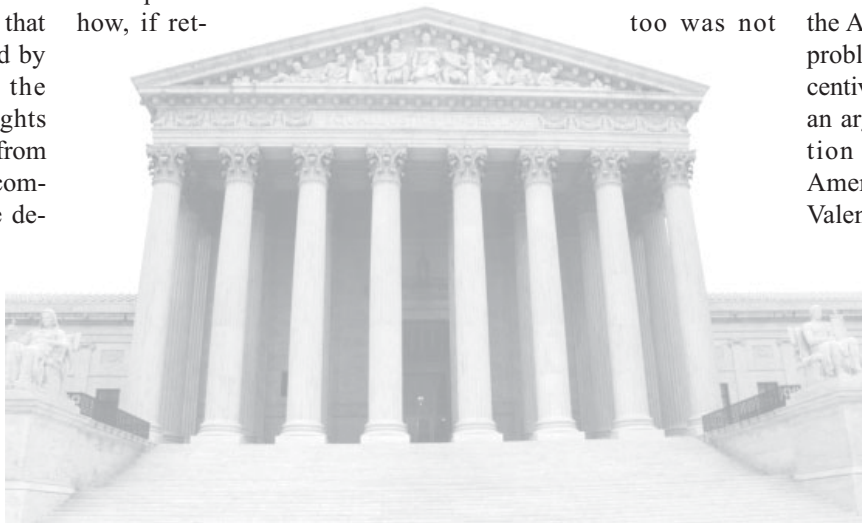
Lessig said he was "happy that no questions were asked that we hadn't already answered a thousand times before."

California Rep. Mary Bono, a former Cleveland and widow of the Act's sponsor, said, "there's a problem that there will be no incentive for restoring classic films," an argument often stated by Motion Picture Association of America President Jack Valenti. Valenti once testified to Congress, "the VCR is to the American film producer and the American public as the Boston Strangler is to the woman home alone."

Lessig countered that Congress could establish a special copyright solely for restoration.

Lessig contends that the retrospective portion of the Act is a special interest subsidy. "Only 2 percent of all copyrights within this period [the Act's 20 year extension] had any value at all. According to a 1998 Congressional Research Service study, it was projected to be \$50 million in 2002 and up to \$330 million per year by 2017," he said. If the Act survives the challenge, nothing will be added to the public domain for the next two decades.

"Disney has always been a hero to me for their creativity, but they have consistently benefited from taking works in the public domain and creating new works...I think their newest project is a remake of the Robert Lewis Stevens classic, but they're calling it 'Treasure Planet.'"



ED PEKAREK - GAVEL

pective extensions were constitutional, the respondent's position did not in fact create an effective right in perpetuity.

Justice Stevens also attacked respondent's position and was joined by several others, inquiring that if Congress was the best to decide how to administer copyrights, what limits, if any, exist on that legislative power. Scalia added analysis that if Congress could simply stack extension upon extension, that it is the "functional equivalent" of unlimited extensions and asked how that could possibly be construed as a "limited time."

After Olson referred again to copyright's historical pedigree and the *Rule of Anne*,

equally inequitable.

Souter expanded the logic by asking if this was not a bright line distinction inapposite to Olson's equity argument. Stevens also challenged the equity concept asking, "didn't those authors already get precisely the benefit of the bargain they contemplated?"

Throughout the argument, Olson derided public domain users as "copyists." Lessig noted the depiction afterwards and said, "the Nashville Musicians *amicus* referred to the public domain as 'legal piracy.'" The public domain is the destination for all expired copyrights, where anyone is free to use the work for any purpose. The furtherance of knowledge through expansion of the public domain is the under-

By Colin Moeller
MANAGING EDITOR

Without funding to implement their plans, architects from the firm of Braun & Steidl debuted the C-M law building, “Facility Vision Plan,” in a presentation Oct. 1.

A donation from Bertram L. “Bart” Wolstein ’53, initiated the project, allowing C-M to enlist the architects of the purpose of conducting a study for potential ways to update and revitalize the law building.

According to Douglas Steidl, the current law building, constructed in 1978, “is at a point in its life when major revisions are necessary. This is the result of obsolescence, changes in technology and the 1997 addition of a premiere law library structure that vacated a portion of the original building.

“Right now, the law building has the look and feeling of a fortress,” said Steidl. “This design is reactionary to the 1970s oil embargo which eventually led to an energy crisis.”

“In all of the focus groups we conducted with faculty, staff and administration, there was one consistent response: ‘we wish the building could look more like the library,’” said Steidl.

According to Steidl, his firm worked within the framework of five parameters: link C-M with downtown Cleveland; create a building that would serve as the gateway to CSU; create quality standards for offices and classrooms; design an atrium with a “town square” feeling and; create



Braun & Steidl’s vision of C-M’s Euclid Avenue entrance blends seamlessly with the college of Urban Affairs Building.

C-M unveils a vision of its virtual future

a design that would link the law library and the law building.

“Cleveland-Marshall’s location on Euclid Avenue, a part of the University’s 17th and 18th Street gateway to Cleveland, exemplifies the importance the college has to the community and the university,” said Steidl. “This proposed interface with the city at large is in keeping with the university’s goal to integrate the campus into the context of the larger community.”

The plans the firm presented call for a

Proposal includes facelift, inside and out. But, due to lack of funding, there are no current plans to implement the changes.

glass exterior on Euclid Avenue similar to the exterior of the Urban Affairs Building. In a style similar to the engraved stone banner above the W. 18th Street entrance to the law building, the front of the renovated law school would include a massive stone sign etched with, “Cleveland-Marshall College of Law.” The exterior adjacent to the law parking lot would have similar glass features on the front, maintaining a brick outline.

The proposed interior of the law build-

ing features a first floor atrium with a large seating area and massive skylights above to allow for a brighter space. Glass doorways to conference rooms and offices, in addition to a change in color scheme and an art display, will also make the atrium brighter and more inviting, according to Steidl. In an effort to connect all three levels of the building and open the space to air, light and sound, the plans call for a relocation of the main staircases to the opposite end of the building, closer to the library entrance.

“The atrium was designed to serve as a ‘town square’,” said Steidl. “The town square is intended to be the central circulation space, connecting administrative functions, ceremonial and student service spaces with the initial reception area for the entire community. By moving the staircase and leaving it open so that the sounds from the café filter up into the atrium, we have attempted to connect the first floor level with the lower level.”

Additionally, the first floor calls for updated faculty offices in their current location but open to seating areas. “We know that the relationships between students and faculty here are very important,” said Steidl. “We’ve tried to open up access to professors by eliminating the feeling that they are hidden down at the end of a long dark corridor.”

The second floor provides for faculty office and classrooms, thus providing additional interaction between [students and

See **REVAMP**, page 5

CSU inagurates President

Donna Morgan Holland
STAFF WRITER

After 16 months at CSU, Michael Schwartz was officially installed as the University’s fifth president on Sept. 26.

The Palace Theater event began with a procession of CSU faculty and staff and delegates from over 50 universities across the nation. Michael Climaco ’72, president of the CSU Board of Trustees conducted the investiture.

The inauguration was a celebration of education at its highest level. Representatives from public and private institutions came to Cleveland for the inauguration. In addition to the universities that sent delegates, others sent congratulatory letters.

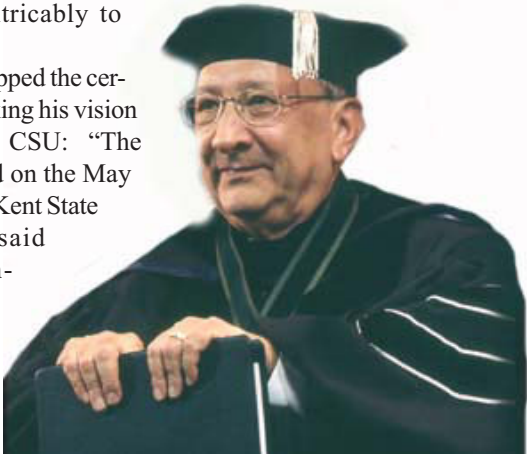
CSU brought its celebration of education to the Palace to include the community. By working with local organizations, Schwartz said, he envisions a stronger tie to the community. “The aim is to improve our programs and to tie ourselves inextricably to our region.”

Schwartz capped the ceremony by invoking his vision of education at CSU: “The words inscribed on the May 4th memorial at Kent State University,” said Schwartz, “inform all who read them of the business of higher education: ‘inquire,

learn and reflect.’ Let me add to that now, the word, Act. Education that does not lead to action is education that has been wasted.”

Schwartz served as President of Kent State University from 1982 to 1991 when he retired to return to the classroom. Schwartz also served as KSU’s vice president for graduate studies and research, vice president of academic and student affairs and provost. He has also held the positions of professor and chairman of sociology and dean of the College of Social Science at Florida Atlantic University and taught psychology and sociology at Wayne State University. Schwartz holds a Ph.D. in sociology as well as an M.A. in labor and industrial relations and a B.S. in psychology from the University of Illinois.

Holland is a 1L.



Schwartz, inaugurated Sept. 26 as CSU’s 5th president at the Palace Theater.

It’s how you know the way...

...in the confusing world of information.

It’s how you know the spirit of your work will shine through the clutter of information.

It’s how you know your insights are valid.

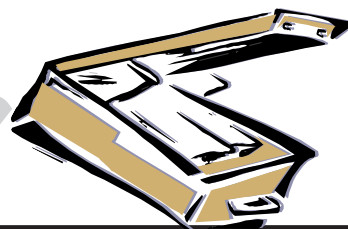
It’s how you know that LexisNexis™ has rich, superior content, easy-to-use Web solutions and support for all aspects of your work, to help elevate your success.

It’s how you know you’re moving ahead in the right direction

LexisNexis™
It’s how you know™

Explore LexisNexis @ www.lexisnexis.com

LexisNexis and the Knowledge Burst logo are trademarks of Reed Elsevier Properties Inc., used under license. It's How You Know is a trademark of LexisNexis, a division of Reed Elsevier Inc. © 2001 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.



The Devil is in the details

By Karin Mika

LEGAL WRITING

Q: As a first year student, should I be concerned about the bar exam application?

A: Yes, you should be very concerned about the bar exam application. Every law student must fill out a bar exam application in order to be approved to take the bar. This isn't your garden variety application either. It is somewhere in the range of 20-30 pages and essentially asks each person to document their life's history. This includes every job held, every place lived, every traffic (or other) citation incurred, every school attended, every debt unpaid and every roommate. You must also provide explanations for gaps in information you might have, such as when you weren't in school or when you were unemployed.

Legal Writing

The application also asks questions related to mental health and substance abuse, and those who will sit for the Ohio bar must authorize a release of this information to be scrutinized. You are also required to provide references from people who have known you for a long period of time (attesting to your good character).

Don't underestimate the amount of time it will take to acquire all the necessary information. Often, you must locate the addresses of places that no longer exist and the names of people you never really knew for sure the first time around. Count on locating the store manager's name from Gold Circle in 1978 or explaining why you left employment at McDonald's when you were 17. And any of those parking tickets you didn't bother to pay as an undergrad? You must disclose their existence on this application. You may also be required to locate records that may no longer exist, or at the very least, have their former existence officially validated.

Once had a student who was required to track down an ex-spouse she hadn't seen in 20 years because she couldn't recall his middle name, and *he* had to submit a sworn and sealed affidavit verifying it.

The sooner you start on this process the better, because by the end of law school, you must file a follow-up form that tells the examiners whether you've done anything they should be concerned about since the first form was filed. Don't regard this task lightly. You could be a valedictorian and not be able to take the bar exam if the examiners are not satisfied with your answers on these applications.

The light at the low end of the "C" curve

THROUGHOUT MY law school career, and even after, I was plagued by feelings of self-doubt and general anxiety about choices I made during those three years of hell.

Alumni Advice

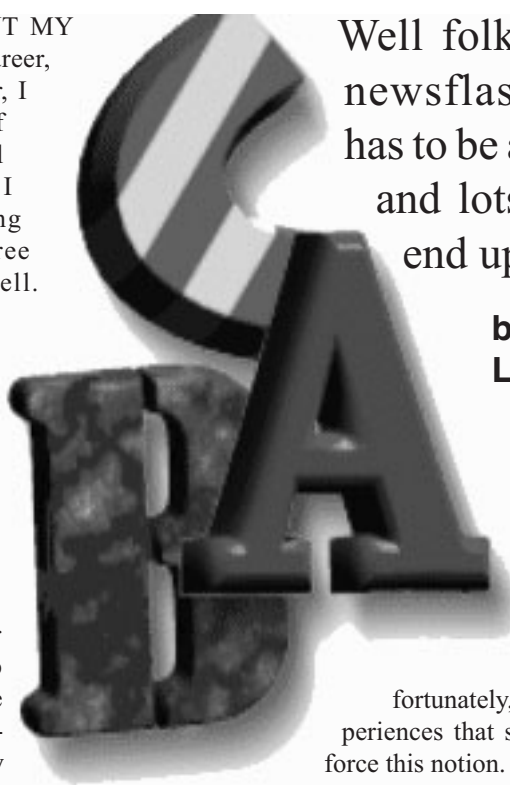
My grades were horrible; I did not participate in Moot Court, clinics or externships; and I felt that all of my friends would make such wonderful lawyers and I could never compete.

My fears were allayed about three years after graduation. I began a job as a staff attorney with The Housing Advocates, a public interest law firm (they took a chance on me without requesting to see my transcripts). When I ran into a high school friend after I updated her on my professional life, she pointed out that I was doing just what I always said I was going to do: represent the underdog and try to save the world.

In that moment, I breathed a huge sigh of relief as those waves of feelings of inadequacy and incompetence flowed out of me. I realized, through one totally innocuous comment, that I met my goal. Since that first semester of law school, I began a vicious, self-deprecating practice of measuring my self-worth by my less-than-stellar academic performance. I felt

Well folks, here's the newsflash...someone has to be at the bottom, and lots of you will end up in between.

by
Lisa Gold-Scott



that bad grades necessarily meant I would be a bad lawyer. And unfortunately, I had life experiences that served to reinforce this notion.

One such experience epitomizes how that notion was grounded into my brain. During my character and fitness interview for the bar exam, I met with three respected partners at well-established firms in town (who shall remain nameless). Rather than question me on issues related to my character and fitness to become an officer of the Court (like those three high school suspensions on my record), they chose to grill me on my grades, as if that had some bearing on my character as a person. One of the curmudgeons had the audacity to ask how I expected to find employment with grades like mine.

Well folks, here's the news flash: You've got a big class of people, someone has to be at the top and someone has to be at the bottom,

and lots of you will end up in between. You already know that my grades were nothing to write home about; but soon after landing the job with The Housing Advocates, I gained experience my "smarter" friends drooled over.

I had two trials in federal court in less than two years; I conducted depositions; engaged in motion practice; and entered into settlement negotiations on behalf of our clients with some

impressive opposing counsel. While I left The Housing Advocates to become Fair Housing Administrator for the City of Cleveland, I longed to return to helping the individual and the courtroom.

The same organization – The Housing Advocates – that took a chance on an attorney with virtually no trial experience (and bad grades) in 1997 took me back in June. Last month, I had a trial in federal court, and more action is sure to follow.

I also gave birth to my first child this year. That event, perhaps more than anything else, puts things into perspective. While your GPA may seem to dominate every decision you make at this point, keep focused. Remember why you went to law school, and know that there are many paths to help you arrive at your destination. And once you arrive, you'll realize that it's only a stopping point to the next destination.

That's my advice. Not too shabby for a student like me.

Gold-Scott '94, is a member of the CMLAA Board of Trustees and a Staff Attorney for the Housing Advocates, Inc.

Fall Interview Program: endgame or first step?

By Jay Crook

STAFF WRITER

The Fall Interview Program (FIP) is culminating. The first round of interviews are complete and for those fortunate enough to receive second interviews, soon all that will remain is the wait for offers. As C-M is both a professional training ground and an education facility, the question must not be merely what has been gained, but also, and possibly more importantly, what was learned?

FIP interviewees include day and night students, male and female and the full spectrum of academic prowess. Student impressions of FIP are generally positive. Many cited the level of résumé exposure, the quality of service by the Office of Career Planning (OCP), especially in the area of résumé tailoring, the program's ability to match students' areas of interest with firms' practice niches, the number of top-level local firms participating in the program, as well as for the opportunity to hone interview-

ing skills during a slew of closely grouped interviews.

FIP was not without its detractors, however. Some students' complaints ranged from lack of OCP assistance in preparing students for the second set of interviews, OCP's discouraging students bidding for large numbers of interviews, the timing of the program when compared with Cleveland's other law school, the limited length of some first interviews and assertions that the FIP is geared towards only procuring jobs for C-M's *crème de la crème*.

OCP Director Jayne Geneva addressed many of the issues raised by students. Geneva said with regard to the purpose of FIP, "The [program] is designed for ease of student interviewing by bringing many firms to campus as opposed to having students go to firms." Geneva also said that the FIP "is only one way to secure a job," and that only 50 of the approximately 320 legal employers in the Greater Cleveland area attend the FIP. Geneva cited the Spring Interview Program which focuses on mid to small firm employers, the e-attorney

career postings, individual research, networking and personal initiative as critical methods for seeking employment.

Geneva encouraged students to take the initiative early and often regarding the interview process in general and networking in specific, citing studies suggesting that 75 percent of all (not just law) hires are achieved via networking. "Students need to network, starting from their first day in law school in order to lay the foundation for job searching." The visiting scholar program, seminars, CMLAA's Spring Practice Expo and the Saturday CLE at C-M series are free to students and are excellent opportunities for students not just to network, but to network in their areas of interest, according to Geneva.

Geneva also encouraged students to attend the panoply of lectures offered during FIP orientation, and other opportunities throughout the year, citing the etiquette and networking classes offered last spring by OCP and to employ the numerous references that cover the interview process, including etiquette for

meal-based interviews available in the Library. "OCP specifically talked about why the 'eating' portion of interview was not an opportunity to pig out, but a test of one's social skills."

Geneva openly invites all students to seek assistance, advice and guidance from the staff of OCP throughout the year, but reiterated her call for students to take the initiative. "Our office is called 'Career Planning' for a reason.

"OCP provides as much lead time as possible on the FIP, making the initial list of participating employers and the FIP Handbook available in July, allowing bidding to begin on August 1 and asking that the résumé be reviewed as early as possible," said Geneva, adding that each student must plan where he wants to go, what path to take, seek help and do research to make the contacts to get there.

"Those who [actively] participate in the process are the students who get the jobs. As of the most recent reporting, 96 percent of all C-M graduates find employment within nine months of graduation."

Meese addresses rules of engagement

By **Christopher Friedenberg**

STAFF WRITER

Former U.S. Attorney General Edwin Meese III preached balance during his visit to C-M Sept. 20.

“In the war against terrorism, we must balance the need to protect American lives with the need to preserve our basic Constitutional liberties.”

Meese spoke informally to students, faculty and administrators, addressing law and policy issues surrounding homeland security and law enforcement.

“We’re in a war,” said Meese, “but a war that is obviously so different from anything we’ve experienced in the past.”

“Most of the characteristics of war have been dramatically changed. The battleground may be anywhere, the enemy may come from and operate from almost any country, including our own. The concept of identifiable soldiers and military units is abandoned. The principal targets are civilian populations rather than military forces, and the milestones and the measures of success are not clear at all.”

According to Meese, this type of conflict is hard to deal with in terms of what law is applicable. While military law is generally applicable to conventional warfare, Meese said that terrorist acts are reflective of military law and criminal law.

Meese said that there needs

As lawyers, we have to appreciate that when you trample on the Constitution and take away basic rights, you help the cause of the terrorists, because their objective is to disrupt our life, disrupt the normal functioning of our nation.



to be a balance between national security and retaining civil liberties. “This requires [lawyers] to think of these things in terms of new doctrines, and in particular, some new legal concepts.” According to Meese, the new task for law enforcement is to prevent criminal acts, not just catch and punish the criminals after the damage is done, citing “reasonable restrictions” by airport security as a prime example. “We must make careful distinctions between liberties guaranteed by the Constitution from privileges and conveniences.”

Meese also suggested that the legal status of people be differentiated. First, there are U. S. citizens who are entitled to the full

protection of Constitutional guarantees. A second category, but very close to citizenship, are foreign nationals who are legally in this country, and subject to reasonable regulations.

“During World War II, people legally in the United States were required to register as ‘aliens’ every year...so that there was a roster of who was in this country legally,” said Meese.

A third category would be illegal aliens: those people who have no right to be here, and are subject anytime to being appre-



ED PEKAREK (3)-GAVEL

(Above) Meese listens to a student’s question, (Left Above) Steinglass welcomes Meese to C-M, (Left) CSU Trustee, Michael Climaco ‘72, and Meese share a laugh.



discussed provisions of the USA PATRIOT Act.

According to Meese, the Act allows search warrants to have national jurisdiction, allowing information sharing between criminal investigators and intelligence units under certain circumstances and allowing for the detention of immigrants.

“I think it is critical that lawyers be knowledgeable about the changing circumstances, and be vigilant in helping to protect civil liberties at the same time we take aggressive action against terrorism.

“As lawyers, we have to appreciate, that when you trample on the Constitution, when you take away basic rights, when the government acts in an oppressive way in any way, then you have helped

the cause of the terrorists, because one of the terrorists’ objectives is to disrupt our life and normal functioning of our nation,” said Meese.

“At the same time, there are some people who are overly zealous in the other direction,” said Meese. “And so it’s this idea of balance that I think characterizes the good thinking that lawyers do and where our talents, objectivity and ability to analyze situations are brought to the fore, in maintaining this balance between security and liberty.”

Meese came to C-M at the invitation of Prof. David Forte, a fellow member of the Philadelphia Society.

Friedenberg is a 1L.

C-M remembers female trailblazers

By **Lauren Roberts**

STAFF WRITER

Two years ago, C-M remembered the ladies by commemorating the first 100 female graduates of its predecessor, the Cleveland Law School.

The Ohio Women’s Bar Association and the C-M Women’s Law Student Association, as part of the inaugural celebration of CSU’s President Michael Schwartz, hosted a screening of the resulting film, “Remember the Ladies” Friday Sept. 27.

In 1904, the Cleveland Law School announced that no distinctions on the account of sex would be made in the admissions process, making it the first law school in Ohio to admit women. The film traced the struggles, triumphs and contributions of these revolutionary women.

C-M’s earliest female graduates made a lasting impact on the legal community. Elizabeth Williams, ‘08, was the first identified alumna. Mary Grossman, ‘12,

was one of the first women to win a seat on municipal court. Louise Johnson Pridgeon, ‘22, was the first African American woman lawyer in Cleveland. Genevieve Cline, ‘21, was the first female appointed to a seat on the Federal Bench.

Bernice Miller, ‘51, who appears in the film, attended the event. Miller said, she “was very pleased to see the recognition of the first 100” and that she remembered many of these woman coming back to speak and inspire while she was at C-M.

“Remember the Ladies” can likewise inspire current C-M students to appreciate the contributions of these women. 3L and Vice President of the C-M Women’s Law Student Association, Lana Mobydeen said, “The strength and determination of these women to overcome adversity have inspired many female lawyers today and will continue to inspire many more in the future. We should continue to follow in their footsteps and take heed to always ‘remember the ladies.’”

Roberts is a 1L.



COLUMBIA LAW NOTES, VOL. 7, 2

Mary Grossman ‘12 administers the oath of office to Lillian Westropp ‘15.

REVAMP: Plans would let C-M out of the 1970s

continued from page 3 --

faculty] in a location not generally utilized by visitors,” said Steidl.

Other changes to the second level include extending the footprint of the floor to the north consistent with an extended footprint of the first level. According the Steidl, this will allow not only for improvements in the water system, but also for the relocation of the campus link to the outside wall of the building. “By moving the campus link to the outside wall, we increase the level of security in that we can close off the law building at night to those passing through the university, because the link no would no longer pass between the second floor classrooms.”

The café, proposed in the building plans, is also at the opposite end of the building from its current location on the ground level. According to Steidl, tables and chairs will be in the entrance area of the ground floor where there is currently just a pass-through between the law school parking lot and E. 18th Street. “The hope is that we will be able to draw in the people who would normally just be passing through,” said Steidl.

The lower level, also includes a trial court room and two practice court

rooms with audio visual equipment that would allow students to critique their performances. New office space for student organizations, conference rooms, new classrooms, a new legal writing department and a new clinic area are also included in the proposed plans for the lower level.

“The space used by the clinics really needed to be updated,” said Steidl. “Currently, people come to the clinics and don’t know where they are going. They also enter the building at night through a very unsecured entrance. Under this plan, the clinic would have its own entrance off of the café area inside the E. 18th entrance.”

In addition to the structural and aesthetic changes proposed, the plans call for a complete updating of all the major building systems. This is a necessary step in order to bring the building up to code.

The estimated cost for the entire project is currently \$17,352,357. According to Steidl, this estimate breaks down to \$154 per square foot of the building if the entire project is implemented. Steidl noted that the cost for the Urban Affairs Building was \$224 per square foot four years ago.

The plan does not call for any changes to the law library or the moot court room.



1Ls get by with a little help from SBA

By
**Christopher Friedenberg
and Nick De Santis**

IL SENATORS

SBA
Briefings

First year law students come to C-M in *media res*. Where faculty, administrators and the upper-classes know the score, which buttons to push and which levers to pull, the 1Ls are still waiting for the instruction manual.

Here are a few quick and dirty maintenance tips concerning SBA.

Tip #1: Check fluids regularly. SBA hosts its annual Halloween party at Becky's Oct. 31. Food and beer will be served. Students will have a chance to interact under more lubricated circumstances.

Tip #2: Test the electronics. SBA is discussing restoring cable TV to the student lounge. (The cable box was stolen last summer). SBA hopes to replace the microwave with a newer, more efficient model.

Tip #3: Wash with warm soapy water; rinse and repeat. SBA sells a fashionable selection of T-shirts, sweatshirts and jackets with the C-M logo. All of which make excellent holiday gifts for the loved ones.

Tip #4: Calibrate air pressure evenly. SBA is responsible for disbursement of funds to recognized student organizations at C-M. The budgets from student organizations were submitted last week. Because the funds requested by all the groups is greater than the money available, it will be a challenge to ensure that all the groups are fairly and adequately funded.

The above list is merely representative of the SBA, many more issues need to be addressed in coming months, including: the lack of available parking, campus security, wiring classrooms for laptops, improving the quality and quantity of food and vending machines in the student lounge and supporting new student organizations.

Meetings are open, and you are invited to listen and to share your concerns. It's our hope that our fellow 1Ls will find the SBA a useful tool to diagnose the mechanics of C-M.

Buying the breast cancer battle



Thousands of Clevelanders begin the Race for the Cure in front of the Rock and Roll Hall of Fame on Sept. 28.



Once known for pumpkins and horror movie marathons, October is quickly becoming the month of the breast.

Like red and green in December, pink is synonymous with shopping throughout the month. If women want to contribute to breast cancer research or awareness funds, they are en-

**The
Gavel**
Editorial
Opinion

couraged to buy. A quick lap around the mall uncovers a pink ribbon-wrapped item at nearly every store.

While the philanthropic tones of potential purchases make them difficult to pass up—\$25 for designer pink body wash seems a kill-two-birds-with-one-stone-type bonus—closer inspection reveals that only a “portion” of the proceeds see research funds.

Are retailers and designers truly “giving,” or are they preying on female vulnerabilities to-

ward shopping and this debilitating disease? The most likely answer is: marketing has hit a new low. Sex sells, and evidently, so does generosity. Most of the breast cancer-themed items donate less than 25 percent of their proceeds to a charitable organization or research fund. Even the Susan G. Komen Foundation, the breast cancer money making powerhouse, hawks pink products on its website and at “Race for the Cure” locations.

Breast cancer long surpassed

other cancers raising the most money. But, breast cancer seems like the only cancer with a licensing deal. Donating funds to A.I.D.S., Parkinson's Disease and lung cancer charities usually entails giving directly to the source. Not so with breast cancer. Giving requires hitting the grocery store, buying the yogurt you craved, licking the lid and mailing it to Yoplait, so the food manufacturer can donate a nickel for every lid licked.

Furthermore, note that women are the sole target audience for these products. Most men have no need for a Kate Spade scarf or an Estee Lauder pink and gold compact. The formula is this: women shop, women get breast cancer, women will buy a bubble gum pink striped Burberry scarf with “5 percent of proceeds to breast cancer charity” stamped on its pricey price tag.

While this marketing strategy may seem like a win-win situation, it is much more of a win for retailers than women. Not every woman wishing to donate to “the cause” wants or needs a pink scarf to do so. Retailers see increased sales at the expense of the consumers' good will. While the real cause is buried beneath a sea of pink.

CSU must put student safety first

By **Renee Davis**

CONTRIBUTING WRITER

Recently, students were reminded of the implications of being a public institution: higher crime rates, loitering and lessened security. On Monday, Sept. 16, in broad daylight (in Lot Z—a surface lot next to the Convocation Center), an 18-year-old student was allegedly assaulted, forced into her car, abducted and taken through the streets of Cleveland. As of Tuesday Sept. 16, I was completely unaware of this incident. I learned of the incident on the 11 o'clock news, not from CSU.

I would understand being unaware if there was no easy way to notify me. One word - “e-mail.” We receive all kinds of useless information from CSU. For example, basketball games and other events less important than a warning that could not only save a life, but could help in identifying the suspect. I understand that CSU would want to get the facts straight before releasing the entire story. However, CSU could have very easily released a preliminary warning, with minimal detail (e.g. “A student was allegedly abducted in Lot Z in broad daylight”) letting students know details were

CSU did a balancing test and must have determined that a small blow to its image was more valuable than the lives of its students.



forthcoming.

This is not the first time such an incident has happen here, nor is it the first time CSU failed to warn us. Remember the girl who was pulled into the classroom and raped? We remained oblivious. CSU should enact a campus advisory policy requiring disclosure of these incidents to increase awareness on campus.

CSU may want to protect its image, but if I were that 18-year-old student, I would not care too much about the CSU image. Protecting one's image is not really worth the risk of exposing all

other students to potential harm. In essence, CSU did a balancing test and must have determined that a small blow to its image was more valuable than the lives of its students.

CSU obviously doesn't feel compelled to warn when there is a significant risk to your well-being. So you must be proactive to protect yourself.

1. Do not walk on campus alone. Campus security will escort you to your car.

2. Have your key ready. You need to have your eyes, ears and attention on your surroundings, not on searching for your keys.

3. Don't rely on those police boxes for help—I tried calling one. I waited 20 minutes and there was no response. Lucky for me, it was not a dire emergency. This is not an isolated incident. Other students mirrored this story that these boxes are a false sense of security.

4. Before you are in a dangerous situation, think about what you would do if the situation arose. Visualize how you would handle it. Visualize it until it is committed to memory. This will ingrain it in your mind, in case the situation were to arise.

Davis is a 3L.

THE GAVEL

CLEVELAND-MARSHALL COLLEGE OF LAW
CLEVELAND STATE UNIVERSITY
216.687.4533 • FAX, 216.687.6881
GAVEL@LAW.CSUOHIO.EDU



Clare R. Taft
Editor-in-Chief

Colin P. Moeller
Managing Editor

Edward R. Pekarek
News/Photo Editor

Staff

Anonymous 1L
Jay Crook
Christopher Friedenberg
Manju Gutpa
Donna Morgan Holland
Michael Hudson
Tricia Hurst
Kelly R. Johnson
James Lucas
Grant Monachino
Michele McKee
Amanda Paar
Lauren Roberts
Peter Roche
Jason Smith

Adviser Thomas Buckley
Printer Gazette Printing

<http://www.law.csuohio.edu/students>
ALL RIGHTS REVERT TO AUTHORS.

Let Bush contain Hussein

“They counted on America to be passive. They counted wrong.” - Ronald Reagan

Now is not the time to be passive. The events of Sept. 11 have shown us the repercussions of being passive and complacent. In this post-Sept. 11 world environment, the best course of action is to be proactive in protecting the interests of the United States and our allies. And to do so, we must authorize President Bush to take a preemptive strike against Iraq.

It is abundantly clear that Hussein will not comply with any United Nations weapons inspection demands. Hussein continues to deny access to his palatial complexes, which cover more than 12 acres, while continuing to remain defiant in his refusal to disarm. This should come as no surprise because he has been thwarting U.N. weapons inspection demands for years.

Every U.N. demand is accompanied with an ultimatum that Iraq must comply or face sanctions and/or military force. However, when Hussein fails to comply, the United Nations does not follow through, ensuring that any further demands will result in the same noncompliance.

There is little doubt that Hussein has the resources to purchase weapons of mass destruction or even to develop his own. While the United Nations placed economic sanctions on Iraq as a result of the Gulf War, Hussein has utilized the black market to personally profit from the sale of oil. Hussein has also skimmed hundreds of millions of dollars from the oil-for-food plan implemented by the United Nations.

With these funds, and the time provided by the years of refusing to comply with the U.N. weapons inspection demands, Hussein has been provided the opportunity to stockpile weapons of mass destruction. As a result, Hussein provides more of a threat to the United States than Osama bin Laden.

Considering Hussein’s disdain for America and all it stands for, the target of

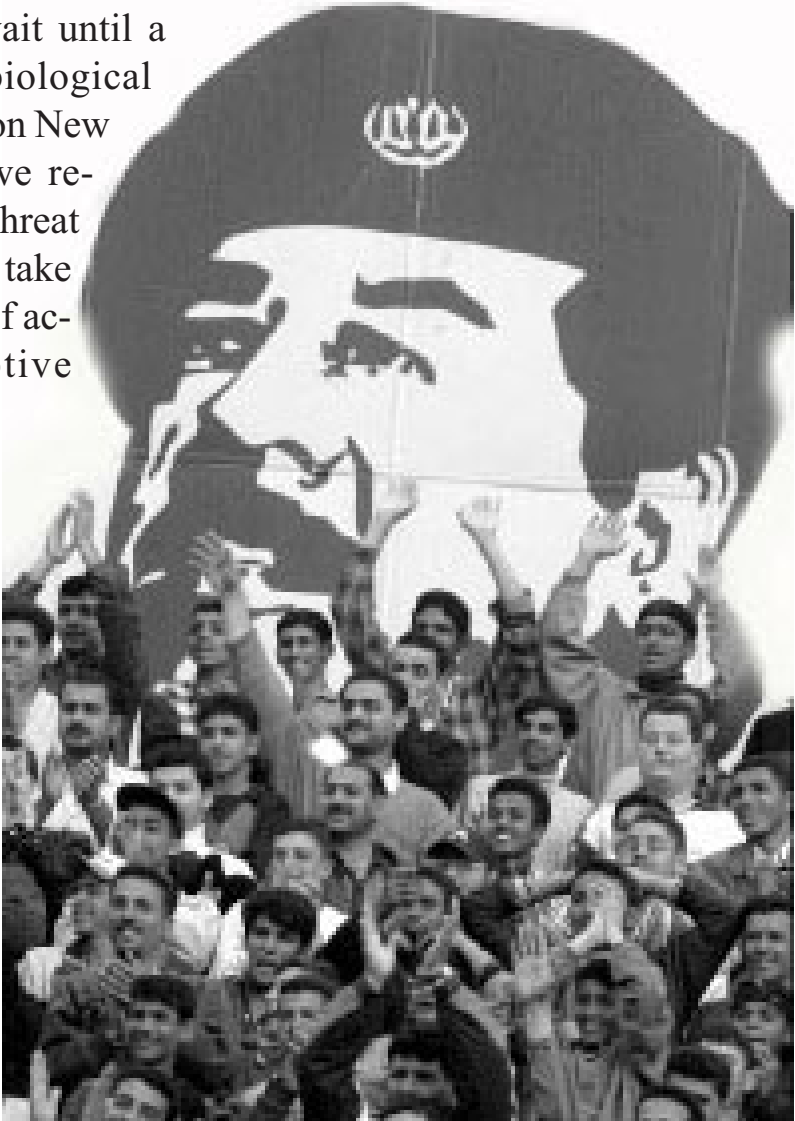
Are we going to wait until a nuclear bomb or biological weapon is dropped on New York City before we respond to this new threat or are we going to take the prudent course of action of a preemptive strike?

By Todd M. Jackett

any attack utilizing these weapons of mass destruction is clear. In the aftermath of Sept. 11, with recent threats coming from Iraq indicating that any attack on Iraq will result in American losses “that have not been sustained for decades,” we must realize that the targets of attacks will include innocent civilians. We have entered a new era of war where even civilians are targets for the enemy.

To protect its own citizens from an attack utilizing weapons of mass destruction, Congress should grant Bush full authority to take a preemptive strike against Iraq and Hussein. While backing from the United Nations would be welcome, it should not be viewed as a necessary element of such an attack. Bush should be granted the authority to take unilateral action.

Bush must stick to his resolve to “stop rogue states and their terrorist clients before they are able to threaten or use weap-



STIMMED BY AP/WIDEWORLD

ons of mass destruction against the United States and our allies and friends.” Hopefully, Congress will recognize the threat and necessity for proactive action and support the President in his resolve.

We have already experienced the results of a reactive approach to a threat. Are we going to wait until a nuclear bomb or biological weapon is dropped on New York City before we respond to this new threat or are we going to take the prudent course of action of a preemptive strike?

“A leader, once convinced a particular course of action is the right one, must have the determination to stick with it and be undaunted when the going gets rough.” - Ronald Reagan

Jackett is a 4L.

Hop on the bus?

By Grant Monachino
STAFF WRITER

As some of us may have or may not have known, two weeks ago, CSU students had the opportunity to vote for or against an increase in tuition to subsidize RTA cost for student riders.

I don’t know if anyone from the law school actually made it to the UC to vote, or even knew where to go. In this school of budding lawyers, though, the outcry that resulted from this proposal to increase tuition by \$30 was expected. I couldn’t care less about a raise in tuition of \$30 after it increased over 30 percent. Just add it to my existing loans.

What I don’t understand is the purpose of the increase. None of the propaganda supporting the subsidy, called UPASS, stipulated any facts regarding the purpose. Are lower RTA prices supposed to serve as an incentive for current student drivers to take the RTA? How many students would actually utilize the fare decrease? How many students have ever taken the RTA, or even know where their nearest bus station is? The most important question that was not answered in the RTA campaign is, “Will students still have to wait in line for a half hour to get a parking spot if they don’t arrive by 8:30 a.m.?”

If some of these questions would have been answered, maybe the election process and the tuition increase would have some legitimacy. To be honest, I have not made any effort to see if any of this data exists, but if it did, why wasn’t it utilized in the campaign. I know the only way it would benefit me and countless other CSU students is if I can arrive at the law school at any time of the day, and not have to bring reading material for the wait in line.



1L Stereotypes: know-it-alls and comedians beware

The following is the second in a six-part series following a first year C-M student from orientation to spring exams.

Before I begin with the main body of this column, I want to get something off my chest. The blue book sucks. I think that if it were written in Chinese, it would be easier to follow.

During orientation week and the first few days of classes, it was easy to pick out different “types” of students. While I tried not to draw conclusions about people without actually getting to know them, I realize now that my first impressions were fairly accurate, with few exceptions.

The first type of person, and the easiest to pick out, is the know-it-all. This person seems to know, or at least thinks they know, everything there is about

the law. If you’re this person, understand that you are a 1L. You don’t know everything, you don’t have all the answers and most importantly, you are not better than the rest of us lowly 1Ls. While I have no problem with you talking in class, please do not lecture me, or the professor, as if you are the authority on every subject.

Another type of person, also fairly easy to spot within a few days, is the hypothetical question asker. This person poses hypotheticals about everything. “What if this, what if that, what if a pig flies out of my butt and injures someone?” Who cares? I know that we have all heard that there are no stupid questions, but, there are stupid questions that need not be asked. Do not ask a question unless you actually need clarification to understand the concept.

An offshoot of the hypotheti-

cal question asker is the starving-comedian-hypothetical-question-asker. This person tries to show their creative humor with every question or hypothetical they pose. If you have a strong desire to prove that you are funny, become a stand-up comedian (which I am quite sure you will fail at because, most of the time, you are not funny).

Another type of person is the freedom fighter. This person seems to think that everyone convicted of a crime or liable for a tort was treated unfairly. “I do not think that the result in this case was fair,” is a frequent phrase alleged by the freedom fighter. I think it is time for you to learn now that everything will not always be fair. We have laws that govern what can and cannot be done. In some cases, what is fair is not important. What is important is that the law was applied correctly.

The final type of person, and probably the most common, is the quiet, non-talker. This person never raises their hand in class, only talks when called upon and frequently can be seen burying their head in their book any time the professor is getting ready to randomly call on someone. Quite frankly, I do not think that this attempt to hide works too well. I think the professors are smart enough to see what is going on.

After talking to many law students, I have come to the conclusion that the person we need to fear most is the one who never talks, sits in the back corner of every class, and seems, for the most part, not to be the real competition. If this is the case, I will not argue, because I am this person. I guess I am actually doing something right.



Student Organization Guide

American Bar Association-Law Student Division

The ABA is a voluntary membership association of attorneys. C-M students are eligible for membership in the Law Student division of the ABA. ABA/LSD membership offers many benefits such as the Student Lawyer Magazine, low cost health insurance, discount car rental from Hertz and free or low cost publications that will help you in law school and in planning your legal career.

Asian-Pacific Islander Law Student Association

APILSA is a student association organized by C-M law students in an effort to pool students from various cultures together. The organization offers numerous opportunities to network with other APILSA members, faculty and students at the law school via various socials, cultural and community service activities.

Contact: Andrea Kryszak, andrea.kryszak@law.csuohio.edu or

Rania Abumeri, rania.abumeri@law.csuohio.edu.

Black Law Student Association

BLSA is open to all students who support the organizations goals of: (1) providing academic support to student members through academic excellence and bar preparation sessions; (2) end of semester course reviews of all first year classes and Evidence open to all law students; (3) networking opportunities and strengthening our connections with alumni, the legal community and Greater Cleveland; (4) enhancing the national reputation of C-M; providing service to the community at large, and providing forums for cultural expression and awareness; (5) providing numerous opportunities for our members to interact with students and alumni.

Contact: Monique McCarthy, monique.mccarthy@law.csuohio.edu.

Cleveland State Law Review

Cleveland State Law Review is a journal with a proud tradition. Four times each year, the Law Review publishes articles of both local and national significance. Students may be invited to join the Law Review as an Associate member at the end of their first year by either class ranking in the top 10 percent or by successfully competing in a writing contest during the summer following their second year.

During the first year of Law Review participation, Associate members take part in the editorial work of the Law Review and produce a comprehensive Note

on a topic of their choice. A select number of Notes may also satisfy the upper level writing requirement.

Contact: Stacy Cameron, stacy.cameron@law.csuohio.edu.

Criminal Law Society

The Criminal Law Society consists of students and recent graduates who are interested in both the prosecutorial and defense aspects of the criminal justice system. The Criminal Law Society is a fairly new organization and has sponsored guest speakers as well as a ride-along program with the Cleveland Police Department.

Delta Theta Phi

Delta Theta Phi is an international law fraternity with over 100,000 members. Delta Theta Phi bridges the gap between law school and the practice of law. Through networking at fraternity functions, benefits are derived for both students and alumni. The fraternity provides a framework for its student members to substantially further their personal contacts and professional opportunities. Delta Theta Phi hosts social events that are a great opportunity to meet other students.

Contact: Bob Harvey, robert.harvey@law.csuohio.edu.

Electronic Frontier Foundation

EFF encourages awareness of both current, forthcoming, and proposed communications and information technology and the impact such technology has upon civil liberties, political organization, political identity and process, social interaction and community, economics, state sovereignty and national security.

Environmental Law Association

The Environmental Law Association is a new student group that provides students with an opportunity to meet fellow law students with an interest in environmental law. Activities include social functions as well as sponsoring guest speakers.

Contact: Lianne Mantione, lianne.mantione@law.csuohio.edu.

Federalist Society

The Federalist Society for Law and Public Studies is a group of conservatives and libertarians interested in the current state of the legal order. It is founded on the principles that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be. The

For a moment, stop while you're here in law school. Look around. C-M Students are padding their résumés by editing articles, performing pro-bono work and scheduling speakers. When you're ready to get your nose out of that book, use our handy guide below.

Society seeks both to promote an awareness of these principles and to further their application through its activities.

The Gavel

The Gavel is the student publication of the College of Law. The Gavel has been ranked as the #1, #2 and #3 law school newspaper in the United States by the American Bar Association in the last four years and has been awarded the Columbia Scholastic Press Association's Gold Medal Certificate for excellence in journalism. Its purpose is to inform, entertain and comment on the law school, the legal community and related topics.

All students are invited to join the Gavel as writers, editors and photographers. Students become staff members after writing two articles or making equivalent contributions to the publication. Staff members participate in editorial elections at the end of the year.

Contact: Clare Taft, clare.taft@law.csuohio.edu.

Hispanic Law Student Association

The Hispanic Law Student Association is dedicated to the advancement of Hispanics within the legal profession. The organization provides support for Hispanic law students. It seeks to establish and maintain mutual cooperation with the Hispanic legal community.

International Law Student's Association

ILSA is a student organization dedicated to building knowledge, networking and practical experiences in the area of international law. Members have the opportunity to compete for positions on two international moot court teams in addition to meeting and networking with other students, attorneys and professors who are interested in international law. In addition, members will receive first hand information on international study opportunities.

Contact: Kimberly Thomas, kimberly.thomas@law.csuohio.edu.

The Journal of Law and Health

The Journal of Law and Health is a scholarly law journal devoted to publishing timely and informative articles in the area of the health and the law. Two issues of the Journal are published each year. Students are not eligible to become members of the Journal until they have completed 1L.

Students ranking in the top 20 percent of their class in terms of GPAs are automatically extended invitations to join the Journal as Associate Members.

Students not scoring in the top 20 percent are invited to join the staff upon successfully competing in the annual Summer Writing Competition. Students who successfully complete their Associate year attain the rank of Editor, assume supervisory duties over the Associates and become more involved in both the Journal's editorial and policy-making functions.

Contact: Ed Pekarek, edward.pekarek@law.csuohio.edu.

The Justinian Forum

The Justinian Forum is a bar association representing 250 attorneys and 14 judges of Italian American descent in Cuyahoga County. The organization here at C-M was developed in conjunction with the bar association to promote and foster understanding of the roles of Italian Americans in the legal system and to encourage advocacy of Italian Americans in matters involving social justice issues. As an auxiliary chapter to the bar association we are invited to attend and be involved in all functions of the bar association. The auxiliary chapter works to elevate and maintain the standards of integrity and honor among the student body of the law school, while promoting legal, cultural and social activities.

Contact: Tania Meola, tania.meola@law.csuohio.edu.

LesBiGay Law Students Association

The fourfold purpose of LesBiGay is to encourage the development of professional expertise of lawyers addressing lesbian, bisexual and gay legal issues; to provide legal-educational alternatives to heterosexual, homophobic or mysogistic educational experiences; to foster and facilitate a socially supportive legal-educational environment for lesbian, bisexual or gay law students, faculty and staff, and; to advance the cause of civil rights for all lesbians, bisexual and gay men through efforts to eliminate discrimination based on sexual orientation. Membership is open to all students.

Moot Court

The Moot Court Board of Governors is a student organization and program designed to develop and refine brief writing and oral advocacy skills. Students in the program are members of the Moot Court Board of Governors and participate in interscholastic competitions which are judged on the quality of written briefs and oral arguments. Any student may become a member of the Moot Court by completing Advance Brief Writing, and successfully competing in the upper division spring in-

tramural competition. Any positions still available after the upper division selection are filled by first year students selected through the first year intramural competition. These qualified first year students compete interscholastically during their second year.

Contact: Renee Davis, renee.davis@law.csuohio.edu.

Ohio State Bar Assoc.

Membership in the OSBA provides many benefits to the student member. Members receive the OSBA weekly publication of recent Ohio court decisions, the Ohio Student Lawyer Journal, and the student newsletter. Members also have the opportunity to attend local conferences on various current issues within the legal field. The OSBA provides members with connections and opportunities that will help you throughout law school and your career.

Student Public Interest Law Organization

SPILO is a student group committed to upholding social justice through legal community activism and nonlegal pro bono work in operation for over a decade. SPILO serves as a resource center for students seeking employment or volunteer opportunities, which focus on public service. SPILO sponsors summer interns in public interest law, guest speakers, fund raisers, workshops and social functions.

Contact: Gregg Garfinkel, gregg.garfinkel@law.csuohio.edu.

Student Bar Association

SBA is the student governing body of the college. Four officers are elected each spring and each class of students has its own senators. SBA's primary responsibilities are to be the voice of the student body, oversee student organizations and maintain programs and opportunities.

Contact: Chris Tucci, christopher.tucci@law.csuohio.edu.

Women Law Students Assoc.

WLSA is an organization which is designed to meet the needs of women students at the college of law. It is open to both men and women law students. WLSA events throughout the school year include guest speakers addressing important women's issues, especially in the field of law, fund raising for local women's organizations such as the Battered Women's Shelter, and most importantly the Silent Auction, which raises scholarship money for active members of WLSA.

Contact: Meghan Sandmann, meghan.sandmann@law.csuohio.edu.

Free Admission for all C-M students

SBA Spooktacular



October 31
Becky's

be there... only if you dare!



Co-sponsored by **THE GAVEL** and Delta Theta Phi

FREE MPRE REVIEW

from your friends at



www.barbri.com

MPRE INFORMATION

LAST DAY TO REGISTER FOR THE MPRE EXAM IS
THURSDAY, OCTOBER 17- LATE FILING (\$100)
(apply on-line at www.ncbex.org)
FRIDAY, NOVEMBER 8 IS THE EXAM

LIVE MPRE COURSE AT CLEVELAND MARSHALL

SATURDAY, OCTOBER 26
9AM-1:30PM
CSU CONVOCATION CENTER

Stop by the BAR/BRI table to reserve your seat in the course.

TABLE TIMES FOR FALL 2002

CLEVELAND
MARSHALL

DAY: MON-THUR 11AM-1PM

EVE: MON, WED 5:30PM-7:30PM

BAR/BRI'S MPRE REVIEW IS OPEN TO ALL STUDENTS!
IF YOU HAVE ALREADY ENROLLED, STOP BY THE
TABLE AND PICK UP YOUR UPPER LEVEL REVIEW
VOLUME, MUG, PENS AND HIGHLIGHTERS!



A Night with "The General"

continued from page 1 --

Knight attended despite undergoing surgery just over a month ago to repair an intestinal obstruction caused by scar tissue within his abdomen.

Swearing a blue streak while proving engaging and comfortable behind the microphone, Knight espoused on several topics outside of the world of basketball, including marriage and relationships, the contributions of combat veterans to society today and the effects of Sept. 11 on our culture.

However, the bulk of his 60-minute sermon dealt with lessons learned while coaching basketball, especially in the Hoosier state, where the sport is viewed as seriously, if not more so, than God and religion.

"Only those of us in coaching can really know that the lows are much, much lower than the highs are high in this business,"

said Knight, who also coached at West Point prior to taking over at Indiana in the early 1970s, and led the 1984 U.S. Olympic basketball team to the gold medal

dan and former Cleveland Cavs coach and Indiana star Randy Wittman as well as his days as a player at Ohio State as among the high points of a life spent on the court.

said, "was coaching a team that represented the United States."

On Wittman, who was fired after an unsuccessful stint with the Cavs in 2001, Knight said, "I guess he was a better player than he is a coach."

Knight

"[Tonight] is the first time Rollie ever gave me anything good to eat. When I'd come up to that camp in New Hampshire or Vermont - and I still don't know which one it was - for dinner, he'd give us potato soup, potato salad and potato chips. And all he ever had to drink was Kool-Aid."

Massimino proved he could dish it out as well as take it, not-so-gently reminding Knight that despite winning more than 600 games, he has yet to notch a victory over a Massimino-coached squad.

"I did call him to wish him congratulations when he won his 600th game," said Massimino, whose Villanova teams were 2-0 versus Indiana. "But I have to remind you that not one of those was against us."

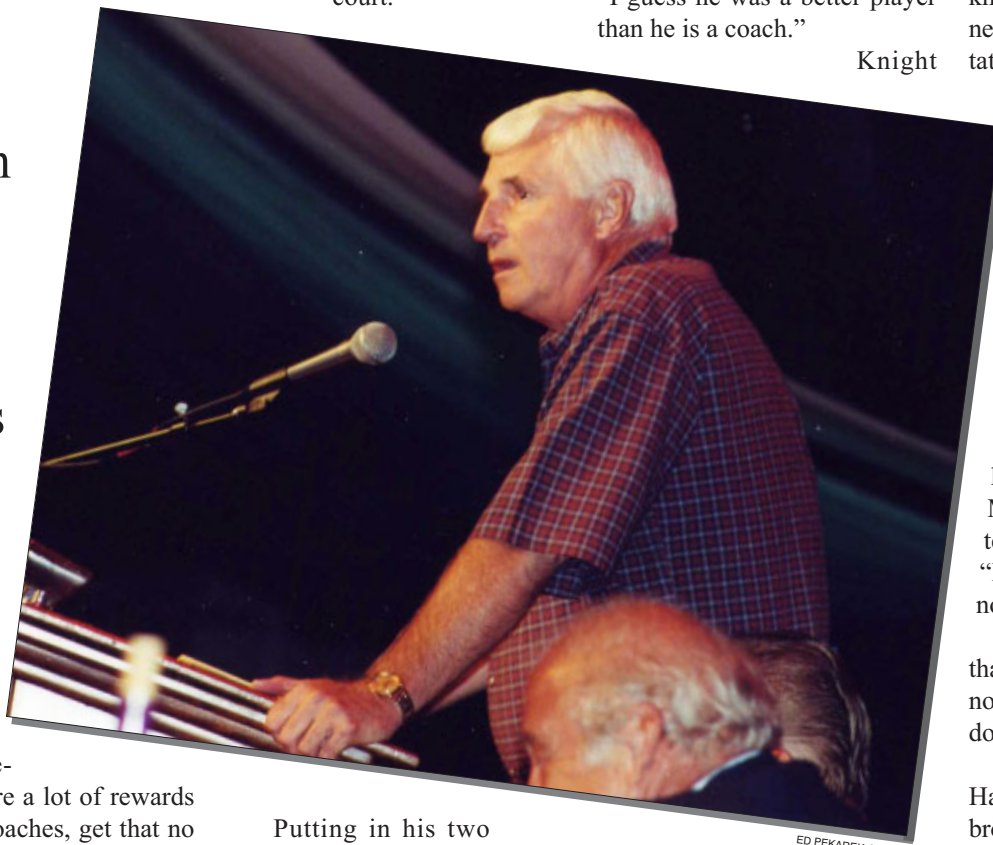
"But there's no one better than Bobby Knight. You might not believe it, but he's a puppy dog at heart."

Former Cavs and Atlanta Hawks coach and current NBA broadcaster Mike Fratello served as emcee for the event, donning a bright-red blazer just prior to introducing Knight. About Knight, Fratello said, "This is a man who has truly made a difference in the world of basketball."

Canonico is a 3L.

Outright raunchiness sprinkled with decades of basketball knowledge and anecdotes from coaching legend Bob Knight

By Jesse Canonico



ED PEKAREK-GAVEL

in Los Angeles.

"There are a lot of rewards that we, as coaches, get that no one ever sees or hears about. What happens on the court is always going to be in the forefront of peoples' minds, but what goes on behind the scenes, that's what really stays with you."

Knight recounted specific instances involving Michael Jordan and former Cleveland Cavs

Putting in his two cents on a never-ending debate, Knight called Jordan "the greatest man to ever play the game." Jordan starred for Knight's gold-medal winning squad in 1984 which defeated Spain in the championship game.

"My greatest pride," Knight

also saved several barbs for Massimino, who gave the 24-year-old "General" one of his first post-college jobs when he hired Knight to work a rural New Hampshire hoops camp shortly after his graduation from Ohio State.

Cleveland welcomes Broadway's best, 'The Producers'

By Clare Taft

EDITOR-IN-CHIEF

There are many reasons for the hype surrounding "The Producers." Fortunately, none are lost on the travelling show.

The Broadway Musical swept the 2001 Tony Awards, taking home the most in Broadway history, with 12.

A l r e a d y called, "blissful," "delightful" and "a gift from the showbiz gods," theatre-goers still wait months and pay hundreds of dollars to see the musical, without the original cast, at the St. James in New York.

Having conquered Broadway, "the new Mel Brooks Musical" is on the road, performing three-week stints in cities across the country. Cleveland plays host to "The Producers" through Oct. 20 at the Allen Theater at Playhouse Square. The musical is already the most successful show in the history of Playhouse Square's Broadway series.

Based on Mel Brooks' Academy Award-winning 1968 film of the same name, the musical is the story of two hapless Broadway producers: Max Bialystock and Leo Bloom. Bialystock and Bloom set out to make the worst musical in Broadway history as a get rich

quick scheme. Their choice for a surefire flop is a love letter to the Third Reich called, "Springtime for Hitler," written by the lederhosen-wearing Franz Liebkind, played by Fred Applegate.

Of course, Bialystock and Bloom's "flop" turns into an overnight success, leaving the two scrambling.

"The Producers" is offensive to gays, lesbians, Jews, women, accountants, Germans, Swedes and little old ladies. It is so offensive that it offends just as Archie Bunker did, hitting all the right comedic notes.

"The Producers" will make you laugh, and at the same time, have you gasping incredulously and thinking, "did that really happen," and "are my grandparents going to see this?"

The role of Max Bialystock was originated on Broadway by Nathan Lane. In the travelling show, Lewis J. Stadlen aptly fills Lane's shoes, so much so, that at times you wonder if Stadlen is playing Max Bialystock, or playing Nathan Lane as Max Bialystock.

Whatever the case, the formula works. It works just as well for Don Stephenson

as Leo Bloom. Originally played by Matthew Broderick, Bloom, the accountant-turned-Broadway producer, is a bundle of nerves, reaching for his blankie when things get stressful.

The high point of the production is opening night of "Springtime for Hitler." Directed by the "worst director in town," the cross-dressing Roger De Bris, played

by Lee Roy Reams, the Furher's Germany is depicted as a happy place where the fashionable Nazis win the war.

The supporting cast is equally entertaining, including Angie Schworer as "Ulla" the leggy Swedish secretary. Bialystock's little old lady investors with names like, "Hold-Me Touch-Me" and "Kiss-Me Feel-Me," nearly steal the show, singing about their gratefulness for Bialystock's "services."

The lighting and set design act as another character, supplementing the actors and keeping the audience laughing.

The music is simple but catchy. The refrains will repeat in your head for days, as you hum "I want to be a Producer/lunch at Sardi's everyday."

Tickets are available for select dates at playhouse square. com, or through Advantix at 216.241.6000.



The Tonys, the rave reviews and the long ticket lines weren't for show. Mel Brooks' "The Producers," lives up to the hype... and then some.



Supreme Court Photo Gallery



“The people made the Constitution, and the people can unmake it. It is the creature of their will, and lives only by their will.”

Cohens v. Virginia - 1821

Photos by Ed Pekarek